

United States of America

United States Patent and Trademark Office



Reg. No. 6,183,577

Registered Oct. 27, 2020

Int. Cl.: 43

Service Mark

Principal Register

Timothy M. Hutchins (UNITED STATES INDIVIDUAL)
1301 N. Tennessee Street
McKinney, TEXAS 75069

CLASS 43: Catering of food and drinks; Catering services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant services; Restaurant services featuring roasted meats, barbecued meats, and smoked meats; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant, bar and catering services; Food and drink catering; Restaurant and catering services

FIRST USE 00-00-1991; IN COMMERCE 00-00-1991

The mark consists of the words "HUTCHINS BARBEQUE" superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written below, with a pictorial representation of the state of Texas in between the words "MADE IN TEXAS" and "EST. 1978".

No claim is made to the exclusive right to use the following apart from the mark as shown: "BARBEQUE," "EST. 1978," "MADE IN TEXAS" AND THE PICTORIAL REPRESENTATION OF TEXAS

SER. NO. 88-759,294, FILED 01-15-2020



Andrei Iancu

Director of the United States
Patent and Trademark Office



WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, August 11, 2020 00:49 AM
To: angela@trademarkdoctor.net
Cc: angela@alanglotz.com
Subject: Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 88759294: HUTCHINS BARBEQUE MADE IN TEXAS EST. 197 etc. (Stylized/Design): Docket/Reference No. HUT-002

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 88759294
Mark: HUTCHINS BARBEQUE MADE IN TEXAS EST. 197 etc. (Stylized/Design)
International Class(es): 043
Owner: Timothy M. Hutchins
Docket/Reference Number: HUT-002

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Aug 11, 2020.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2020-08-11&serialNumber=88759294>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. For corrections or amendments after publication, please use the Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment Form, accessible at <https://teas.uspto.gov/office/ppa>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

- * Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to https://tsdr.uspto.gov/#caseNumber=88759294&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to https://tsdr.uspto.gov/#caseNumber=88759294&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

Commissioner for Trademarks
www.uspto.gov

OFFICIAL USPTO NOTICE OF PUBLICATION UNDER 12(a)

U.S. Application Serial No. 88759294

Mark: HUTCHINS BARBEQUE MADE IN TEXAS EST. 197

International Class(es): 043

Owner: Timothy M. Hutchins

Docket/Reference No. HUT-002

Issue Date: July 22, 2020

Your mark is scheduled to publish in the *Trademark Official Gazette (TMOG)* on August 11, 2020.

Your mark appears to be entitled to register on the Principal Register, subject to any claims of concurrent use.

What happens when your mark publishes. Within 30 days of the publication date, any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time) with the Trademark Trial and Appeal Board. If no objection is filed, we will issue a registration.

View your mark in the TMOG after the publication date at <https://tmog.uspto.gov/> by selecting your publication date in the "issues" field, entering your serial number in the "search by" field, and clicking on the magnifying glass.

Ensure that the information in the TMOG is correct. If any information is incorrect, promptly request correction using the "Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment" form at <https://teas.uspto.gov/office/ppa/>. For more information, see <https://www.uspto.gov/trademark/trademark-updates-and-announcements/procedures-submitting-amendmentscorrections-trademark>.

Direct questions about this notice to the Trademark Assistance Center (TAC) at 1-800-786-9199 (select option 1) or TrademarkAssistanceCenter@uspto.gov.

Email Address(es):

angela@trademarkdoctor.net
angela@alanglotz.com

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, July 22, 2020 04:11 AM
To: angela@trademarkdoctor.net
Cc: angela@alanglotz.com
Subject: Official USPTO Notification of Notice of Publication: U.S. Trademark SN 88759294: HUTCHINS BARBEQUE MADE IN TEXAS EST. 197 etc. (Stylized/Design): Docket/Reference No. HUT-002

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (U.S. Serial No. 88759294) is scheduled to publish in the *Official Gazette* on Aug 11, 2020. To preview the Notice of Publication, go to the Trademark Status & Document Retrieval (TSDR) database, accessible at <https://tsdr.uspto.gov/search.action?sn=88759294>. If you have difficulty accessing the Notice of Publication, contact the Trademark Assistance Center (TAC) by e-mail at TrademarkAssistanceCenter@uspto.gov or by telephone at 800-786-9199.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Please confirm that the correspondence information shown in TSDR is correct. If the correspondence information is not correct, please update this information using the online Change of Correspondence Address Form, accessible at <https://teas.uspto.gov/ccr/cca>.

Do NOT hit "Reply" to this e-mail notification. If you find an error in the Notice of Publication, update the information using the Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment Form, accessible at <https://teas.uspto.gov/office/ppa>.

Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	88759294	FILING DATE	01/15/2020
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	PAINTER, VALERIYA SHER	L.O. ASSIGNED	N30-NOT FOUND

PUB INFORMATION

RUN DATE	07/07/2020		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	07/06/2020		
LITERAL MARK ELEMENT	HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Timothy M. Hutchins
ADDRESS	1301 N. Tennessee Street McKinney, TX 75069
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

GOODS AND SERVICES

INTERNATIONAL CLASS	043
DESCRIPTION TEXT	Catering of food and drinks; Catering services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant services; Restaurant services featuring roasted meats, barbequed meats, and smoked meats; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant, bar and catering services; Food and drink catering; Restaurant and catering services

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	043	FIRST USE DATE	00/00/1991	FIRST USE IN COMMERCE DATE	00/00/1991	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"BARBEQUE," "EST. 1978," "MADE IN TEXAS" AND THE PICTORIAL REPRESENTATION OF TEXAS
DESCRIPTION OF MARK	The mark consists of the words "HUTCHINS BARBEQUE" superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written below, with a pictorial representation of the state of Texas in between the words MADE IN TEXAS" and "EST. 1978".
PSEUDO MARK	HUTCHINS BARBEQUE MADE IN TEXAS ESTABLISHED ONE NINE SEVEN EIGHT; HUTCHINS BARBEQUE MADE IN TEXAS ESTABLISHED NINETEEN SEVENTY EIGHT; HUTCHINS BARBEQUE MADE IN TEXAS ESTABLISHED ONE THOUSAND NINE HUNDRED

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/06/2020	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	017
07/06/2020	XAEC	I	EXAMINER'S AMENDMENT ENTERED	016
07/06/2020	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	015
07/06/2020	GNEA	O	EXAMINERS AMENDMENT E-MAILED	014
07/06/2020	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	013
06/07/2020	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	012
05/05/2020	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	011
04/22/2020	ALIE	A	ASSIGNED TO LIE	010
04/14/2020	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	009
04/07/2020	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
04/07/2020	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
04/07/2020	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006

04/07/2020	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
03/31/2020	DOCK	D	ASSIGNED TO EXAMINER	004
01/22/2020	MDSM	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
01/21/2020	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/18/2020	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Angela V. Langlotz
CORRESPONDENCE ADDRESS	ANGELA V. LANGLOTZ ANGELA V. LANGLOTZ, PC 848 N RAINBOW BLVD, #3721 LAS VEGAS, NV 89107
DOMESTIC REPRESENTATIVE	NONE



Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	88759294	FILING DATE	01/15/2020
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	PAINTER, VALERIYA SHER	L.O. ASSIGNED	N30-NOT FOUND

PUB INFORMATION

RUN DATE	07/07/2020		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	07/06/2020		
LITERAL MARK ELEMENT	HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

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COLOR DRAWING FLAG	NO

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ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

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GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	043	FIRST USE DATE	00/00/1991	FIRST USE IN COMMERCE DATE	00/00/1991	CLASS STATUS	6-ACTIVE
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PROSECUTION HISTORY

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05/05/2020	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	011
04/22/2020	ALIE	A	ASSIGNED TO LIE	010
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01/18/2020	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Angela V. Langlotz
CORRESPONDENCE ADDRESS	ANGELA V. LANGLOTZ ANGELA V. LANGLOTZ, PC 848 N RAINBOW BLVD, #3721 LAS VEGAS, NV 89107
DOMESTIC REPRESENTATIVE	NONE



To: Timothy M. Hutchins (angela@trademarkdoctor.net)
Subject: U.S. Trademark Application Serial No. 88759294 - HUTCHINS BARBEQUE MADE IN TEXAS - HUT-002
Sent: July 06, 2020 08:27:45 AM
Sent As: ecom121@uspto.gov
Attachments:

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

**U.S. Application Serial
No.** 88759294

Mark: HUTCHINS
BARBEQUE MADE IN
TEXAS

Correspondence Address:

ANGELA V.
LANGLOTZ
ANGELA V.
LANGLOTZ, PC
848 N RAINBOW
BLVD, #3721
LAS VEGAS, NV
89107

Applicant: Timothy M.
Hutchins

Reference/Docket No.
HUT-002

**Correspondence Email
Address:**

angela@trademarkdoctor.net

EXAMINER'S AMENDMENT

Issue date: July 06, 2020

Application has been amended as shown below. As agreed to by Angela V. Langlotz, attorney of record, on July 2, 2020 the examining attorney has amended the application as shown below. Please notify the examining attorney immediately of any objections. TMEP §707. Otherwise, no response is required. *Id.*

The following amended disclaimer statement is added to the record:

No claim is made to the exclusive right to use "BARBEQUE," "EST. 1978," "MADE IN TEXAS" and the pictorial representation of Texas.

See 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(c), 1213.08(a)(i).

The Section 2(f) claim appears to be unnecessary in this case, and is removed from the record, with applicant's authorization. *See* 15 U.S.C. §1052(f); TMEP §1212.02(d).

/Valeriya Painter/
Examining Attorney
Law Office 121
(571) 270-7132
valeriya.painter@uspto.gov

To: Timothy M. Hutchins (angela@trademarkdoctor.net)
Subject: U.S. Trademark Application Serial No. 88759294 - HUTCHINS BARBEQUE MADE IN TEXAS - HUT-002
Sent: July 06, 2020 08:27:46 AM
Sent As: ecom121@uspto.gov
Attachments:

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE_

Office Action (Official Letter) has issued
on **July 06, 2020** for
U.S. Trademark Application Serial No. 88759294

Your trademark application has been reviewed by a trademark examining attorney. As part of that review, the assigned attorney has issued an official letter. Please follow the steps below.

- (1) [Read the official letter](#). No response is necessary.
- (2) **Direct questions** about the contents of the Office action to the assigned attorney below.

/Valeriya Painter/
Examining Attorney
Law Office 121
(571) 270-7132
valeriya.painter@uspto.gov

Direct questions about navigating USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and/or whether there are outstanding deadlines or documents related to your file to the [Trademark Assistance Center \(TAC\)](#).

GENERAL GUIDANCE

- [Check the status](#) of your application periodically in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- [Update your correspondence email address](#), if needed, to ensure you receive important USPTO notices about your application.
- [Beware of misleading notices sent by private companies about your application](#). Private companies not associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices – most of which require fees. All **official USPTO correspondence** will only be **emailed from the domain “@uspto.gov.”**

NOTE TO THE FILE

SERIAL NUMBER: 88759294

DATE: 07/06/2020

NAME: vsherman

NOTE:

Searched:

☐ Google
☐ Lexis/Nexis
☐ OneLook
☐ Wikipedia
☐ Acronym Finder ☐ Protest evidence reviewed
☐ Other:

Checked:

☐ Geographic significance
☐ Surname
☐ Translation
☐ ID with ID/CLASS mailbox

☐ Checked list of approved Canadian attorneys and agents

Discussed file with

Attorney/Applicant via:

<input checked="" type="checkbox"/> phone 7/2/20	<input type="checkbox"/> Left message with Attorney/Applicant
<input type="checkbox"/> email	
<input type="checkbox"/> Requested Law Library search for:	<input checked="" type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS
<input type="checkbox"/> PRINT <input type="checkbox"/> DO NOT PRINT	<input type="checkbox"/> Added design code in TRADEUPS
<input type="checkbox"/> Description of the mark	<input type="checkbox"/> Re-imaged standard character drawing
<input type="checkbox"/> Translation statement	<input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID
<input type="checkbox"/> Negative translation statement	
<input type="checkbox"/> Consent of living individual	
<input type="checkbox"/> Changed TRADEUPS to:	
<input type="checkbox"/> OTHER:	

Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	88759294	FILING DATE	01/15/2020
REG NUMBER	0000000	REG DATE	N/A
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INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	PAINTER, VALERIYA SHER	L.O. ASSIGNED	N30-NOT FOUND

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STATUS DATE	04/14/2020
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DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	YES	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

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COLOR DRAWING FLAG	NO

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DISCLAIMER W/PREDETER TXT	"BARBEQUE"
DESCRIPTION OF MARK	The mark consists of the words "HUTCHINS BARBEQUE" superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written below, with a pictorial representation of the state of Texas in between the words MADE IN TEXAS" and "EST. 1978".
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PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/14/2020	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	009
04/07/2020	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
04/07/2020	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
04/07/2020	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
04/07/2020	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
03/31/2020	DOCK	D	ASSIGNED TO EXAMINER	004
01/22/2020	MDSM	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
01/21/2020	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/18/2020	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Angela V. Langlotz
CORRESPONDENCE ADDRESS	ANGELA V. LANGLOTZ ANGELA V. LANGLOTZ, PC 848 N RAINBOW BLVD, #3721 LAS VEGAS, NV 89107
DOMESTIC REPRESENTATIVE	NONE



Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	88759294	FILING DATE	01/15/2020
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	PAINTER, VALERIYA SHER	L.O. ASSIGNED	N30-NOT FOUND

PUB INFORMATION

RUN DATE	04/08/2020
PUB DATE	N/A
STATUS	647-EXAMINERS AMENDMENT - MAILED
STATUS DATE	04/07/2020
LITERAL MARK ELEMENT	HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	YES	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Timothy M. Hutchins
ADDRESS	1301 N. Tennessee Street McKinney, TX 75069
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

GOODS AND SERVICES

INTERNATIONAL CLASS	043
DESCRIPTION TEXT	Catering of food and drinks; Catering services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant services; Restaurant services featuring roasted meats, barbequed meats, and smoked meats; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant, bar and catering services; Food and drink catering; Restaurant and catering services

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	043	FIRST USE DATE	00/00/1991	FIRST USE IN COMMERCE DATE	00/00/1991	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TEXT	"BARBEQUE"
DESCRIPTION OF MARK	The mark consists of the words "HUTCHINS BARBEQUE" superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written below, with a pictorial representation of the state of Texas in between the words MADE IN TEXAS" and "EST. 1978".
PSEUDO MARK	HUTCHINS BARBEQUE MADE IN TEXAS ESTABLISHED ONE NINE SEVEN EIGHT; HUTCHINS BARBEQUE MADE IN TEXAS ESTABLISHED NINETEEN SEVENTY EIGHT; HUTCHINS BARBEQUE MADE IN TEXAS ESTABLISHED ONE THOUSAND NINE HUNDRED

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/07/2020	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
04/07/2020	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
04/07/2020	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
04/07/2020	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
03/31/2020	DOCK	D	ASSIGNED TO EXAMINER	004
01/22/2020	MDSM	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
01/21/2020	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/18/2020	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Angela V. Langlotz
----------	--------------------

CORRESPONDENCE ADDRESS	ANGELA V. LANGLOTZ ANGELA V. LANGLOTZ, PC 848 N RAINBOW BLVD, #3721 LAS VEGAS, NV 89107
DOMESTIC REPRESENTATIVE	NONE



To: Timothy M. Hutchins (angela@trademarkdoctor.net)
Subject: U.S. Trademark Application Serial No. 88759294 - HUTCHINS BARBEQUE MADE IN TEXAS - HUT-002
Sent: April 07, 2020 12:15:03 PM
Sent As: ecom121@uspto.gov
Attachments:

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

**U.S. Application Serial
No.** 88759294

Mark: HUTCHINS
BARBEQUE MADE IN
TEXAS

Correspondence Address:

ANGELA V.
LANGLOTZ
ANGELA V.
LANGLOTZ, PC
848 N RAINBOW
BLVD, #3721
LAS VEGAS, NV
89107

Applicant: Timothy M.
Hutchins

Reference/Docket No.
HUT-002

**Correspondence Email
Address:**

angela@trademarkdoctor.net

EXAMINER'S AMENDMENT

Issue date: April 07, 2020

USPTO database searched; no conflicting marks found. The trademark examining attorney searched the USPTO database of registered and pending marks and found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

Application has been amended as shown below. As agreed to by Angela V. Langlotz, attorney of record, on April 7, 2020, the examining attorney has amended the application as shown below. Please notify the examining attorney immediately of any objections. TMEP §707. Otherwise, no response is required. *Id.*

The following disclaimer statement is added to the record:

No claim is made to the exclusive right to use "BARBEQUE" apart from the mark as shown.

See 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(c), 1213.08(a)(i).

The following description of the mark replaces the current description of record:

The mark consists of the words "HUTCHINS BARBEQUE" superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written *below, with a pictorial representation of* the state of Texas in between the words MADE IN TEXAS" and "EST. 1978".

See 37 C.F.R. §§2.37, 2.72; TMEP §§808 *et seq.*

/Valeriya Painter/
Examining Attorney
Law Office 121
(571) 270-7132
valeriya.painter@uspto.gov

To: Timothy M. Hutchins (angela@trademarkdoctor.net)
Subject: U.S. Trademark Application Serial No. 88759294 - HUTCHINS BARBEQUE MADE IN TEXAS - HUT-002
Sent: April 07, 2020 12:15:08 PM
Sent As: ecom121@uspto.gov
Attachments:

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE_

Office Action (Official Letter) has issued
on **April 07, 2020** for
U.S. Trademark Application Serial No. 88759294

Your trademark application has been reviewed by a trademark examining attorney. As part of that review, the assigned attorney has issued an official letter. Please follow the steps below.

- (1) [Read the official letter](#). No response is necessary.
- (2) **Direct questions** about the contents of the Office action to the assigned attorney below.

/Valeriya Painter/
Examining Attorney
Law Office 121
(571) 270-7132
valeriya.painter@uspto.gov

Direct questions about navigating USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and/or whether there are outstanding deadlines or documents related to your file to the [Trademark Assistance Center \(TAC\)](#).

GENERAL GUIDANCE

- [Check the status of your application periodically](#) in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- [Update your correspondence email address](#), if needed, to ensure you receive important USPTO notices about your application.
- [Beware of misleading notices sent by private companies about your application](#). Private companies not associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices – most of which require fees. All **official USPTO correspondence** will only be **emailed from the domain “@uspto.gov.”**

NOTE TO THE FILE

SERIAL NUMBER: 88759294

DATE: 04/07/2020

NAME: vsherman

NOTE:

Searched:

☒ Google
☐ Lexis/Nexis
☐ OneLook
☐ Wikipedia
☐ Acronym Finder ☐ Protest evidence reviewed
☒ Other: <https://res.cloudinary.com/govimg/image/upload/v1558640752/5cc879a1685d330f137b8ec5/handout-outline-dark.pdf>

Checked:

☐ Geographic significance
☐ Surname
☐ Translation
☐ ID with ID/CLASS mailbox

☐ Checked list of approved Canadian attorneys and agents

Discussed file with

Attorney/Applicant via:

<input checked="" type="checkbox"/> phone	<input type="checkbox"/> Left message with
<input type="checkbox"/> email	Attorney/Applicant
<input type="checkbox"/> Requested Law Library search for:	<input checked="" type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS
<input type="checkbox"/> PRINT	<input type="checkbox"/> Added design code in TRADEUPS
<input type="checkbox"/> Description of the mark	<input type="checkbox"/> Re-imaged standard character drawing
<input type="checkbox"/> Translation statement	<input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID
<input type="checkbox"/> Negative translation statement	
<input type="checkbox"/> Consent of living individual	
<input type="checkbox"/> Changed TRADEUPS to:	
<input type="checkbox"/> OTHER:	

*** User:vsberman ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	145	0	145	138	0:02	*h{v}\$1ch{"iye"1:2}n*[bi,ti] not dead[lid]
02	1927	N/A	0	0	0:01	(*bbq* *barb{v:2}{"ckq"}*)[bi,ti] not dead[lid]
03	72557	N/A	0	0	0:02	*est*[bi,ti] not dead[lid]
04	154	N/A	0	0	0:02	("78" "1978")[bi,ti] not dead[lid]
05	11289	N/A	0	0	0:01	*mad*[bi,ti] not dead[lid][bi,ti] not dead[lid]
06	3581	N/A	0	0	0:01	(tx *te{"ckqx"1:2}a{"sz"}*)[bi,ti] not dead[lid]
07	684	N/A	0	0	0:02	011712[dc] not dead[lid]
08	4307	N/A	0	0	0:02	260301[DC] not dead[lid]
09	333	0	32	333	0:01	7 and (8 1 2 3 4 5 6)
10	6	0	6	6	0:01	1 and (2 3 4 5 6)
11	166	0	166	163	0:01	2 and (3 4 5 6)
12	698	N/A	0	0	0:01	3 and (4 5 6)
13	356	0	356	351	0:02	12 and "043"[cc]
14	6	0	6	6	0:01	4 and (5 6)
15	35	0	35	34	0:01	5 and 6
16	42	0	42	37	0:02	*hutchins*[bi,ti] not dead[lid]
17	0	0	0	0	0:02	"Timothy M. Hutchins"[ow]
18	0	0	0	0	0:01	"Timothy Hutchins"[ow]
19	0	0	0	0	0:01	"Timothy Hutchins"[on]

Session started 3/31/2020 1:24:13 PM

Session finished 3/31/2020 1:46:21 PM

Total search duration 0 minutes 27 seconds

Session duration 22 minutes 8 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICS as Serial Number: 88759294

From: TMDesignCodeComments
Sent: Wednesday, January 22, 2020 00:27 AM
To: angela@trademarkdoctor.net
Cc: angela@alanglotz.com
Subject: Official USPTO Notice of Design Search Code: U.S. Trademark SN: 88759294: HUTCHINS BARBEQUE MADE IN TEXAS EST. 197 etc.
(Stylized/Design): Docket/Reference No. HUT-002

Docket/Reference Number: HUT-002

The USPTO has assigned design search codes to your application (U.S. serial number: 88759294).

Design search codes assigned to your application:

01.01.03 - Star - a single star with five points
01.17.12 - Maps of Texas
01.17.12 - Texas, map of
26.03.17 - Concentric ovals
26.03.17 - Concentric ovals and ovals within ovals
26.03.17 - Ovals within ovals
26.03.17 - Ovals, concentric
26.03.21 - Ovals that are completely or partially shaded

If you would like to request that we add or delete a design search code, please email TMDesignCodeComments@USPTO.GOV. Include your name, application serial number, a list of design search codes you would like to add or delete, and a brief justification. We will process your request within two business days. If we approve your request, the updated list of design search codes will appear in our Trademark Status and Document Retrieval (TSDR) database, accessible at <https://tsdr.uspto.gov/>, under the "Mark Information" tab.

Design search codes are numerical codes we assign to the prominent features of your mark's design. We call these features "design elements." A design element can be any component of your mark that is not a word, such as a depiction of a star or a flower. Assigning design search codes to your mark helps us more effectively search our database for marks that may conflict with yours. Design search codes have no legal significance and will not appear on the registration certificate.

For more information about design search codes, including why and how we use them and information on adding or deleting design search codes from your application, please visit our design search code webpage at <http://www.uspto.gov/DesignSearchCodes>. For a list of design search codes, see the design search code manual at <http://tess2.uspto.gov/tmdb/dscm/index.htm>.

For questions, please call 1-800-786-9199 (option 1) to speak to a Customer Service representative in the Trademark Assistance Center. Please visit <http://www.uspto.gov/TrademarkAssistance> for additional information about the Trademark Assistance Center.

This notice will be available in TSDR in one business day.





ALL YOU CAN EAT

EXCLUDES BEEF RIBS, BURNT ENDS & TX TWINKIES

NO TOGO BOXES; NO SHARING

\$25**SPECIALTIES****BEEF RIBS SAT. ONLY \$22/LB.**A LARGER THAN LIFE BEEF RIB;
SEASONED AND SMOKED TO PERFECTION
RIBS WEIGH ANYWHERE FROM 1-2LBS.**TEXAS TWINKIES FRI.SAT.SUN \$4**A LARGE JALAPEÑO STUFFED WITH
BRISKET & CREAM CHEESE; WRAPPED IN
PREMIUM THICK CUT BACON**PACKS TO GO**

BREAD & SAUCE INCLUDED CONDIMENTS UPON REQUEST

FAMILY PACK \$55CHOOSE UP TO 4 MEATS; 2 LBS.
INCLUDES 3 SIDES (PINTS)**PARTY PACK \$80**CHOOSE UP TO 6 MEATS; 3 LBS.
INCLUDES 3 SIDES (QUARTS)**LUNCH PACK \$27**1 LB OF CHOPPED BEEF IN SAUCE
INCLUDES 2 SIDES (PINTS)
INCLUDES 4 BUNS**SANDWICHES****DAILY SPECIAL \$11**A CHOPPED BRISKET SANDWICH IN SAUCE
& 2 SIDE WITH A MED. DRINK**1 MEAT SANDWICH \$8**

CHOOSE 1 MEAT; SANDWICH

★ ADD 2 SIDES + \$5

2 MEAT SANDWICH \$10

CHOOSE 2 MEATS; SANDWICH

★ ADD 2 SIDES + \$5

SMOKED MEATS

PRICES PER 1/2 POUND

SLICED BRISKET	\$11
CHOPPED BRISKET OFF THE BLOCK	\$11
CHOPPED BRISKET IN SAUCE	\$9.50
RIBS	\$7.50
ORIGINAL SAUSAGE	\$8.50
JALAPEÑO CHEDDAR SAUSAGE	\$8.50
HOT LINKS	\$8.50
PULLED PORK	\$8.50
TURKEY	\$8.50
CHICKEN HALF CHICKEN	\$8
FRIED CATFISH	\$11.5

DELICIOUS SIDES

SERVING \$2.50 | PINT \$6 | QUART \$10 | GALLON \$40

BRISKET PINTO BEANS	FRENCH FRIES
JALAPEÑO PINTO BEANS	FRIED OKRA
MASHED POTATOES	POTATO SALAD
GREEN BEANS	COLESLAW
MAC & CHEESE	BROCCOLI SALAD

BAKED POTATO \$5
★ STUFFED W/ MEAT \$10**FRIED CATFISH**

REGULAR CATCH \$14

MEDIUM ORDER OF FRIED CATFISH
& 2 SIDES

BIG CATCH \$16

LARGE ORDER OF FRIED CATFISH
& 2 SIDES**DESERTS**

COMPLIMENTARY FOR DINE-IN

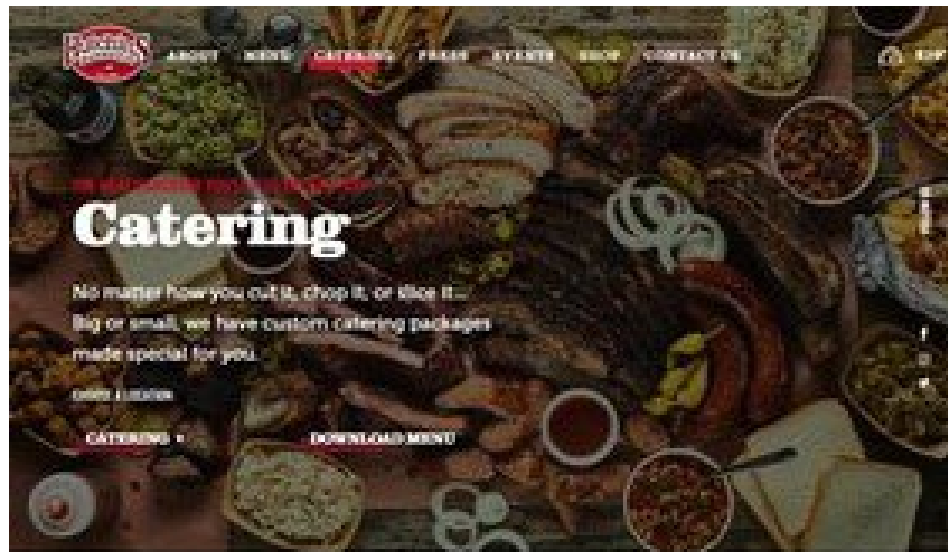
SERVING \$2.50 | PINT \$6 | QUART \$12 | GALLON \$45

★ PEACH COBBLER ★ BANANA PUDDING

DRINKS

MEDIUM \$2.50 | LARGE \$3 | BOTTLED \$2.50





Catering

No matter how you cut it, chop it, or slice it...
Big or small, we have custom catering packages
made special for you.

[ORDER A MENU](#)

[CATERING](#)

[DOWNLOAD MENU](#)

[ORDER TODAY](#)

Catering

Delivery requires a minimum of 20 Guests and is
\$15.00 per guest. Full catering requires a minimum
of 75 Guests. All a la carte orders requires a
minimum delivery of \$300. Hutchins BBQ delivery
and full catering orders include condiments, sliced
bread, paper goods and serving utensil.

All catering orders must be confirmed & paid in full
48 hours
prior to job. 48 hours notice required for changes
and
additional delivery fees may apply.



[MEATS & SIDES](#)

Delivery & Full Catering

Choice of 3 Meats

Prime Brisket
Chopped Brisket in Sauce
Sausage
Turkey (White)
Chicken (Dark)
Pulled Pork

Choice of 2 Sides

Brisket Pinto Beans
Jalapeno Pinto Beans
Green Beans
Potato Salad
Coleslaw
Broccoli Salad
Potato Casserole
Mac & Cheese

[MEAT BY THE POUND](#)

A La Carte

Prime Brisket

\$23 PER POUND

Chopped Brisket in Sauce

\$19 PER POUND

Pulled Pork

\$18 PER POUND

Sausage

Original or Jalapeno Cheddar

\$18 PER POUND

Turkey

\$18 PER POUND

Chicken

Half

\$8.00 PER HALF POUND

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88759294

Filing Date: 01/15/2020

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	\\TICRS\EXPORT17\IMAGEOUT 17\887\592\88759294\xml1\FTK0002.JPG
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the words HUTCHINS BARBEQUE superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written therebelow, with an outline of the state of Texas in between the words MADE IN TEXAS" and "EST. 1978".
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	1800 x 1184
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Timothy M. Hutchins
*STREET	1301 N. Tennessee Street
*CITY	McKinney
*STATE (Required for U.S. applicants)	Texas
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	75069
WEBSITE ADDRESS	https://hutchinsbbq.com

LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	043
*IDENTIFICATION	Catering of food and drinks; Catering services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant services; Restaurant services featuring roasted meats, barbequed meats, and smoked meats ; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant, bar and catering services; Food and drink catering; Restaurant and catering services
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/1991
FIRST USE IN COMMERCE DATE	At least as early as 00/00/1991
SPECIMEN FILE NAME(S)	
JPG FILE(S)	\\TICRS\EXPORT17\IMAGEOUT17\887\592\88759294\xml1\FTK0003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\887\592\88759294\xml1\FTK0005.JPG
ORIGINAL PDF FILE	SPE0-26012848380135055fe4643ec02991-20200114234130513274_..Specimen_Menu_Restaurant_Services.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT17\IMAGEOUT17\887\592\88759294\xml1\FTK0004.JPG
SPECIMEN DESCRIPTION	A screenshot of a webpage offering the catering services in conjunction with the trademark; a photograph showing the mark displayed in conjunction with the offer of restaurant services; an image of a menu showing use of the mark in conjunction with the restaurant and catering services
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
* TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESE) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
MISCELLANEOUS STATEMENT	Applicant claims ownership of serial number 88759282.
SECTION 2(f) Claim of Acquired Distinctiveness, based on Five or More Years' Use	The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use of the mark in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.
ATTORNEY INFORMATION	
NAME	Angela V. Langlotz

ATTORNEY DOCKET NUMBER	HUT-002
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Angela V. Langlotz, PC
STREET	848 N Rainbow Blvd, #3721
CITY	Las Vegas
STATE	Nevada
COUNTRY	United States
ZIP/POSTAL CODE	89107
PHONE	775-375-5123
EMAIL ADDRESS	angela@trademarkdoctor.net
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	Angela V. Langlotz
FIRM NAME	Angela V. Langlotz, PC
*STREET	848 N Rainbow Blvd, #3721
*CITY	Las Vegas
*STATE (Required for U.S. addresses)	Nevada
*COUNTRY	United States
*ZIP/POSTAL CODE	89107
PHONE	775-375-5123
*EMAIL ADDRESS	angela@trademarkdoctor.net; angela@alanglotz.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	1
FEE PER CLASS	225
*TOTAL FEE PAID	225
SIGNATURE INFORMATION	
* SIGNATURE	/angela v langlotz/

* SIGNATORY'S NAME	Angela V. Langlotz
* SIGNATORY'S POSITION	Attorney for Applicant
SIGNATORY'S PHONE NUMBER	775-375-5123
* DATE SIGNED	01/14/2020

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88759294

Filing Date: 01/15/2020

To the Commissioner for Trademarks:

MARK: HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978 (stylized and/or with design, see [mark](#))

The literal element of the mark consists of HUTCHINS BARBEQUE MADE IN TEXAS EST. 1978. The applicant is not claiming color as a feature of the mark. The mark consists of the words HUTCHINS BARBEQUE superimposed upon an oval with the words "MADE IN TEXAS" and "EST. 1978" written therebelow, with an outline of the state of Texas in between the words MADE IN TEXAS" and "EST. 1978".

The applicant, Timothy M. Hutchins, a citizen of United States, having an address of

1301 N. Tennessee Street
McKinney, Texas 75069
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 043: Catering of food and drinks; Catering services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant services; Restaurant services featuring roasted meats, barbecued meats, and smoked meats; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant, bar and catering services; Food and drink catering; Restaurant and catering services

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 043, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 00/00/1991, and first used in commerce at least as early as 00/00/1991, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) A screenshot of a webpage offering the catering services in conjunction with the trademark; a photograph showing the mark displayed in conjunction with the offer of restaurant services; an image of a menu showing use of the mark in conjunction with the restaurant and catering services.

JPG file(s):

[Specimen File1](#)

[Specimen File2](#)

Original PDF file:

[SPE0-26012848380135055fe4643ec02991-20200114234130513274_ . Specimen Menu Restaurant Services.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Miscellaneous Statement

Applicant claims ownership of serial number 88759282.

SECTION 2(f) Claim of Acquired Distinctiveness, based on Five or More Years' Use

The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use of the mark in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

For informational purposes only, applicant's website address is: <https://hutchinsbbq.com>

The applicant hereby appoints Angela V. Langlotz. Angela V. Langlotz of Angela V. Langlotz, PC, is a member of the XX bar, admitted to the

bar in XXXX, bar membership no. XXX, is located at
848 N Rainbow Blvd, #3721
Las Vegas, Nevada 89107
United States
775-375-5123(phone)
angela@trademarkdoctor.net (authorized).

The attorney docket/reference number is HUT-002.

Angela V. Langlotz submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

Angela V. Langlotz
Angela V. Langlotz, PC
848 N Rainbow Blvd, #3721
Las Vegas, Nevada 89107
775-375-5123(phone)
angela@trademarkdoctor.net; angela@alanglotz.com (authorized).

Email Authorization: I authorize the USPTO to send email correspondence concerning the application to the applicant or the applicant's attorney, or the applicant's domestic representative at the email address provided in this application. I understand that a valid email address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Plus status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$225 has been submitted with the application, representing payment for 1 class(es).

Declaration

☒ **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

AND/OR

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /angela v langlotz/ Date: 01/14/2020

Signatory's Name: Angela V. Langlotz

Signatory's Position: Attorney for Applicant

Signatory's Phone Number: 775-375-5123

Payment Sale Number: 88759294

Payment Accounting Date: 01/15/2020

Serial Number: 88759294

Internet Transmission Date: Wed Jan 15 00:11:15 EST 2020

TEAS Stamp: USPTO/FTK-XXXX:XXX:XXXX:XXXX:XXXX:XXXX:X

XXX:XXX-20200115001115241793-88759294-70

02165bcf0e37f7f194dfa229aece853ba630cbef

d6a12eec7253919bc2233a20-CC-11139858-202

00115000039818022





ALL YOU CAN EAT

EXCLUDES BEEF RIBS, BURNT ENDS & TX TWINKIES

NO TOGO BOXES; NO SHARING

\$25**SPECIALTIES****BEEF RIBS SAT. ONLY \$22/LB.**

A LARGER THAN LIFE BEEF RIB;
SEASONED AND SMOKED TO PERFECTION
RIBS WEIGH ANYWHERE FROM 1-2LBS.

TEXAS TWINKIES FRI.SAT.SUN \$4

A LARGE JALAPEÑO STUFFED WITH
BRISKET & CREAM CHEESE; WRAPPED IN
PREMIUM THICK CUT BACON

PACKS TO GO

BREAD & SAUCE INCLUDED CONDIMENTS UPON REQUEST

FAMILY PACK \$55

CHOOSE UP TO 4 MEATS; 2 LBS.
INCLUDES 3 SIDES (PINTS)

PARTY PACK \$80

CHOOSE UP TO 6 MEATS; 3 LBS.
INCLUDES 3 SIDES (QUARTS)

LUNCH PACK \$27

1 LB OF CHOPPED BEEF **IN SAUCE**
INCLUDES 2 SIDES (PINTS)
INCLUDES 4 BUNS

SANDWICHES**DAILY SPECIAL \$11**

A CHOPPED BRISKET SANDWICH **IN SAUCE**
& 2 SIDE WITH A MED. DRINK

1 MEAT SANDWICH \$8

CHOOSE 1 MEAT; SANDWICH

★ ADD 2 SIDES + \$5

2 MEAT SANDWICH \$10

CHOOSE 2 MEATS; SANDWICH

★ ADD 2 SIDES + \$5

SMOKED MEATS

PRICES PER 1/2 POUND

SLICED BRISKET	\$11
CHOPPED BRISKET OFF THE BLOCK	\$11
CHOPPED BRISKET IN SAUCE	\$9.50
RIBS	\$7.50
ORIGINAL SAUSAGE	\$8.50
JALAPEÑO CHEDDAR SAUSAGE	\$8.50
HOT LINKS	\$8.50
PULLED PORK	\$8.50
TURKEY	\$8.50
CHICKEN HALF CHICKEN	\$8
FRIED CATFISH	\$11.5

DELICIOUS SIDES

SERVING \$2.50 | PINT \$6 | QUART \$10 | GALLON \$40

BRISKET PINTO BEANS	FRENCH FRIES
JALAPEÑO PINTO BEANS	FRIED OKRA
MASHED POTATOES	POTATO SALAD
GREEN BEANS	COLESLAW
MAC & CHEESE	BROCCOLI SALAD

BAKED POTATO	\$5
★ STUFFED W/ MEAT	\$10

FRIED CATFISH**REGULAR CATCH \$14**

MEDIUM ORDER OF FRIED CATFISH & 2 SIDES

BIG CATCH \$16

LARGE ORDER OF FRIED CATFISH & 2 SIDES

DESERTS

COMPLIMENTARY FOR DINE-IN

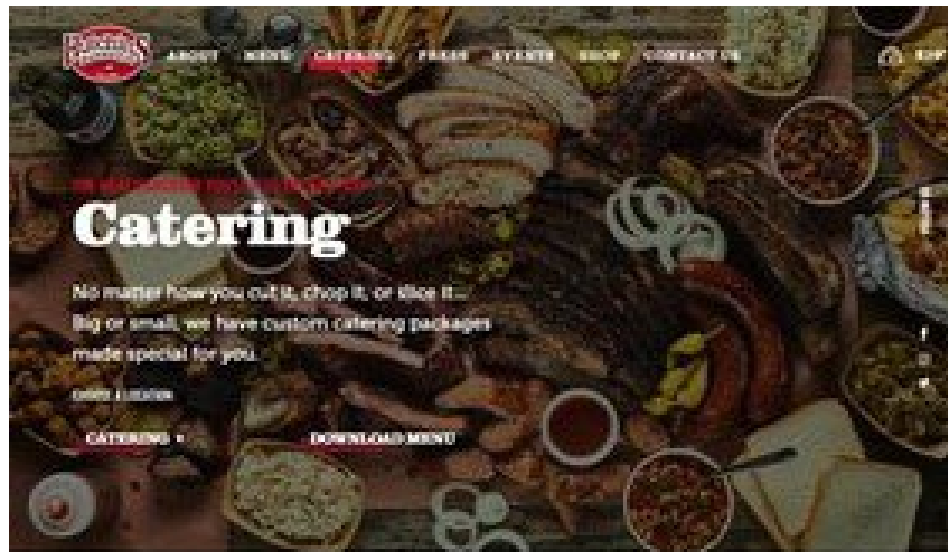
SERVING \$2.50 | PINT \$6 | QUART \$12 | GALLON \$45

★ PEACH COBBLER ★ BANANA PUDDING

DRINKS

MEDIUM \$2.50 | LARGE \$3 | BOTTLED \$2.50





Catering

No matter how you cut it, chop it, or slice it...
Big or small, we have custom catering packages
made special for you.

[ORDER A MENU](#)

[CATERING](#)

[DOWNLOAD MENU](#)

[ORDER TODAY](#)

Catering

Delivery requires a minimum of 20 Guests and is
\$15.00 per guest. Full catering requires a minimum
of 75 Guests. All a la carte orders requires a
minimum delivery of \$300. Hutchins BBQ delivery
and full catering orders include condiments, sliced
bread, paper goods and serving utensil.

All catering orders must be confirmed & paid in full
48 hours
prior to job. 48 hours notice required for changes
and
additional delivery fees may apply.



[MEATS & SIDES](#)

Delivery & Full Catering

Choice of 3 Meats

Prime Brisket
Chopped Brisket in Sauce
Sausage
Turkey (White)
Chicken (Dark)
Pulled Pork

Choice of 2 Sides

Brisket Pinto Beans
Jalapeno Pinto Beans
Green Beans
Potato Salad
Coleslaw
Broccoli Salad
Potato Casserole
Mac & Cheese

[MEAT BY THE POUND](#)

A La Carte

Prime Brisket

\$23 PER POUND

Chopped Brisket in Sauce

\$19 PER POUND

Pulled Pork

\$18 PER POUND

Sausage

Original or Jalapeno Cheddar

\$18 PER POUND

Turkey

\$18 PER POUND

Chicken

Half

\$8.00 PER HALF POUND